

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 58th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON CORRECTIONS AND PUBLIC SAFETY

Call to Order: By **CHAIRMAN STANLEY (STAN) FISHER**, on January 29, 2003 at 8:10 A.M., in Room 317-A Capitol.

ROLL CALL

Members Present:

Rep. Stanley (Stan) Fisher, Chairman (R)
Sen. Corey Stapleton, Vice Chairman (R)
Sen. Keith Bales (R)
Rep. Tim Callahan (D)
Rep. Carol C. Juneau (D)
Rep. Dave Lewis (R)
Sen. Trudi Schmidt (D)

Members Excused: None.

Members Absent: None.

Staff Present: Marian Collins, Committee Secretary
Christi Moyer, OBPP
Lorene Thorson, Legislative Branch

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed. The time stamp for these minutes appears at the beginning of the content it refers to.

Committee Business Summary:

Hearing & Date Posted: Department of Justice
Public Testimony, 1/24/2003
Executive Action: None

CHAIRMAN FISHER informed the Subcommittee that, prior to testimony on January 30th, there will be discussion regarding creating a Committee bill allowing the Forensic Lab authority to levy charges for their services.

{Tape: 1; Side: A; Approx. Time Counter: 1 - 22}

Dean Roberts, Administrator, Motor Vehicle Division (MVD), Department of Justice, introduced the three bureau chiefs of the Motor Vehicle Division, and presented the Subcommittee with copies of his budget presentation (Exhibit #1).

SEN. STAPLETON asked what percentage of license registrations are handled through the mail. **Mr. Roberts** stated that approximately 40% are handled through the mail, which is a significant savings to the counties.

{Tape: 1; Side: A; Approx. Time Counter: 22 - 30.4}

REP. JUNEAU asked Mr. Roberts if registration can now be handled over the Internet. **Mr. Roberts** stated that the MVD is working on that; House Bill 261 deals with funding for technological equipment which will allow license registration or renewal over the Internet.

{Tape: 1; Side: B; Approx. Time Counter: 0.2 - 10}

Mr. Roberts continued to review Exhibit #1.

{Tape: 1; Side: B; Approx. Time Counter: 10.4 - 30.4}

Mr. Roberts stated that there is currently an 8-year driver license period. **REP. LEWIS** suggested Montana initiate a lifetime license. **Mr. Roberts** said that the Department is looking at options. Arizona has a 25-year license, with a personal appearance after 12 years. Montanans can obtain a license at 15 years old but are required to get a new license at 21. After age 67, Montanans receive a license that is good until 75.

CHAIRMAN FISHER related a story about a friend of his who had lost her purse. When this friend went to the Driver's License Bureau, she was told she needed to present two forms of identification containing her photo in order to get a new driver's license. As her identification had been lost, the Driver's License Bureau requested a copy of her birth certificate and marriage license, neither which has a photo. **Mr. Roberts** responded that the requirement has been changed. Now only one form of identification is required, and the Bureau can access photos that have been taken in the past in order to further identify the individual.

{Tape: 2; Side: A; Approx. Time Counter: 0.2 - 20.1}

Mr. Roberts continued to review Exhibit #1.

{Tape: 2; Side: A; Approx. Time Counter: 20.3 - 30.6}

SEN. BALES asked if microfilming documents is prudent with the implementation of the new MVD system. **Mr. Roberts** stated that the Division does not anticipate microfilming much longer. The plan is to eventually have a paperless title system.

{Tape: 2; Side: B; Approx. Time Counter: 2.1 - 14}

Mr. Roberts continued to review Exhibit #1.

SEN. BALES asked why the MVD base adjustments for FY 2004 and are so much higher than FY 2005. **Mr. Roberts** stated that the difference is the issue of new license plates.

REP. LEWIS stated that the Legislature has tried to go to one license plate before to no avail, and asked how **Mr. Roberts** thought it was going to pass this time. **Mr. Roberts** stated that the plan is to continue issuing two plates, but only one decal which will be placed on the back plate.

EXHIBIT (jch19a01)

{Tape: 2; Side: B; Approx. Time Counter: 15.7 - 17.7}

CHAIRMAN FISHER directed the Subcommittee to DP 1201 on Page 30 of the Legislative Budget Analysis 2005 Biennium. LFD has suggested that any costs connected to issuing new license plates be a one-time-only charge. **Ms. Thorson** stated that if this Subcommittee passes DP 1201 and DP 8001, it would essentially net that out. The one-time-only designation would only be necessary if the new proposal wasn't passed that would take that money out, or if Senate Bill 118 didn't pass.

{Tape: 2; Side: B; Approx. Time Counter: 17.8 - 20.4}

CHAIRMAN FISHER stated that prior testimony pointed out that most of the expenses in the MVD that were paid by general funds could have been taken from the highway state special gas tax fund. He asked that MVD get together with **Ms. Thorson** before this Subcommittee takes final action on the Department of Justice and identify as many of those expenses as possible that can be transferred to state special gas tax fund. **Ms. Thorson** stated

that there is also nonrestricted revenues that don't have constitutional requirements. She stated DOJ could use those funds and it wouldn't be necessary to meet the constitutional requirements. **CHAIRMAN FISHER** asked Ms. Thorson to gather those numbers together and report back to the Subcommittee.

{Tape: 2; Side: B; Approx. Time Counter: 22.1 - 30.5}
{Tape: 3; Side: A; Approx. Time Counter: 0.1 - 24.9}

Steven Tesinsky, Administrator, Information Technology Services Division (ITSD), Department of Justice, gave an overview of the Division. He also presented the Subcommittee with brochures and copies of his power point presentation which summarizes services offered by the Division.

{Tape: 3; Side: A; Approx. Time Counter: 25 - 30.2}
{Tape: 3; Side: B; Approx. Time Counter: 2.2 - 7}

SEN. BALES asked if any individual can request and view their own record. **Mr. Tesinsky** stated that everyone has the right to view their own record. For a name-based check, anyone can pay the \$8 fee to the ITSD, fill out the card and the Montana database will be used to check that individual's record. A thorough FBI record check can be requested directly from the FBI. The FBI check is nationwide and costs \$26.

{Tape: 3; Side: B; Approx. Time Counter: 7.1 - 30.4}
{Tape: 4; Side: A; Approx. Time Counter: 0.2 - 2.7}

Mr. Tesinsky stated the importance of the Criminal Justice Information Network (CJIN). CJIN accesses national records and combines them with Montana's records. **SEN. BALES** asked Mr. Tesinsky how much access Highway Patrol officers have, and what security concerns are created by having the mobile CJIN terminals in their cars. **Mr. Tesinsky** stated that the Patrol officers are communicating with the office where they are dispatching. ITSD provides network access to the dispatchers working with the officers. Equipment is installed at the law enforcement site that has security installed to ensure that proper information is being used. The Patrol cars are set up to communicate with the device in their local agencies.

EXHIBIT(jch19a02)

{Tape: 4; Side: A; Approx. Time Counter: 3.3 - 4.3}

Ms. Thorson explained the Exhibit #3 is information requested by CHAIRMAN FISHER at a previous hearing. The Department of Justice provided this budget breakdown for each bureau within the Criminal Investigation Division.

EXHIBIT (jch19a03)

{Tape: 4; Side: A; Approx. Time Counter: 4.4 - 5}

Doug Booker, Centralized Services, stated that "less authority only" means it is strictly funding from sources other than general fund.

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ADJOURNMENT

Adjournment: 11:15 A.M.

REP. STANLEY (STAN) FISHER, Chairman

MARIAN COLLINS, Secretary

SF/MC

EXHIBIT (jch19aad)